

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:

Case Nos.:

16-cv-00521 (*Turner v. 3M Co.*)  
17-cv-01195 (*Edmunds v. 3M Co., et al.*)  
18-cv-00758 (*Butler v. 3M Co., et al.*)  
18-cv-01007 (*Sweezy v. 3M Co., et al.*)  
18-cv-01456 (*Manheim v. 3M Co., et al.*)  
18-cv-01654 (*Terrell v. 3M Co., et al.*)  
18-cv-01768 (*Lamb v. 3M Co.*)  
18-cv-01832 (*McCray v. 3M Co.*)  
18-cv-01833 (*Mussachia v. 3M Co.*)  
18-cv-02014 (*Johnson v. 3M Co., et al.*)  
18-cv-02042 (*Buddin v. 3M Co., et al.*)  
18-cv-02082 (*English v. 3M Co., et al.*)  
18-cv-02168 (*Krzeminski v. 3M Co., et al.*)  
18-cv-02439 (*Peck v. 3M Co., et al.*)  
18-cv-02469 (*Monroe v. 3M Co.*)  
18-cv-02540 (*Ritzler v. 3M Co.*)  
18-cv-02548 (*Jones, Terry v. 3M Co., et al.*)  
18-cv-02740 (*Morgan v. 3M Co., et al.*)  
18-cv-02861 (*Marshall v. 3M Co., et al.*)  
18-cv-02914 (*Chiavaroli v. 3M Co. et al.*)  
18-cv-02926 (*O'Donnell v. 3M Co., et al.*)  
18-cv-02938 (*Albert, Jr. v. 3M Co., et al.*)  
18-cv-03011 (*Jones, Tyrone v. 3M Co., et al.*)  
18-cv-03322 (*Melancon, et al. v. 3M Co., et al.*)  
18-cv-03323 (*Thompson v. 3M Co., et al.*)  
18-cv-03328 (*Milioto v. 3M Co., et al.*)  
18-cv-03329 (*McAlister v. 3M Co., et al.*)  
18-cv-03330 (*Brown v. 3M Co., et al.*)  
18-cv-03332 (*Drake v. 3M Co., et al.*)  
18-cv-03368 (*Bowden v. 3M Co., et al.*)  
19-cv-00011 (*Cruz v. 3M Co., et al.*)  
19-cv-00020 (*Holmes v. 3M Co., et al.*)

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**DEFENDANTS' NINETEENTH MOTION TO DISMISS FOR FAILURE TO  
COMPLY WITH PRETRIAL ORDER NO. 14**

Pursuant to the Court's Pretrial Order No. 14 ("PTO 14"), entered September 27, 2016, Defendants 3M Company and Arizant Healthcare Inc. (collectively, "Defendants") respectfully move the Court to dismiss the following plaintiffs' cases for failure to comply with PTO 14:

Case Number	Plaintiff	Firm Name
0:16-cv-00521-JNE-DTS	Turner	The Olinde Firm, LLC
0:17-cv-01195-JNE-DTS	Edmunds	The Olinde Firm, LLC
0:18-cv-00758-JNE-DTS	Butler	Fears Nachawati, PLLC
0:18-cv-01007-JNE-DTS	Sweezy	Kennedy Hodges, LLP
0:18-cv-01456-JNE-DTS	Manheim	Morris Law Firm
0:18-cv-01654-JNE-DTS	Terrell	Morris Law Firm
0:18-cv-01768-JNE-DTS	Lamb	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-01832-JNE-DTS	McCray	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-01833-JNE-DTS	Mussachia	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-02014-JNE-DTS	Johnson	Bernstein Liebhard LLP
0:18-cv-02042-JNE-DTS	Buddin	DeGaris & Rogers, LLC
0:18-cv-02082-JNE-DTS	English	Kennedy Hodges, LLP
0:18-cv-02168-JNE-DTS	Krzeminski	Brown & Crouppen, PC
0:18-cv-02439-JNE-DTS	Peck	DeGaris & Rogers, LLC
0:18-cv-02469-JNE-DTS	Monroe	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.

0:18-cv-02540-JNE-DTS	Ritzler	Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.
0:18-cv-02548-JNE-DTS	Jones, Terry	DeGaris & Rogers, LLC
0:18-cv-02740-JNE-DTS	Morgan	Kennedy Hodges, LLP
0:18-cv-02861-JNE-DTS	Marshall	Kennedy Hodges, LLP
0:18-cv-02914-JNE-DTS	Chiavaroli	Fears Nachawati, PLLC
0:18-cv-02926-JNE-DTS	O'Donnell	GoldenbergLaw, PLLC
0:18-cv-02938-JNE-DTS	Albert, Jr.	Kennedy Hodges, LLP
0:18-cv-03011-JNE-DTS	Jones, Tyrone	The Miller Firm, LLC
0:18-cv-03322-JNE-DTS	Melancon	Fears Nachawati, PLLC
0:18-cv-03323-JNE-DTS	Thompson	Fears Nachawati, PLLC
0:18-cv-03328-JNE-DTS	Milioto	Fears Nachawati, PLLC
0:18-cv-03329-JNE-DTS	McCalister	Fears Nachawati, PLLC
0:18-cv-03330-JNE-DTS	Brown	Fears Nachawati, PLLC
0:18-cv-03332-JNE-DTS	Drake	Fears Nachawati, PLLC
0:18-cv-03368-JNE-DTS	Bowden	Morris Law Firm
0:19-cv-00011-JNE-DTS	Cruz	The Olinde Firm, LLC
0:19-cv-00020-JNE-DTS	Holmes	Meshbesh & Spence, Ltd.

As set forth in Defendants' Memorandum of Law in Support of their Nineteenth Motion to Dismiss for Failure to Comply with Pretrial Order No. 14, there are three (3) categories of cases where plaintiffs have failed to serve a Plaintiff Fact Sheet ("PFS") compliant with the requirements set forth by the Court in PTO 14: (a) cases where no PFS has been served by plaintiff; (b) cases where plaintiff served a PFS with core deficiencies, and failed to cure them or otherwise respond to Defendants' deficiency letter; and (c) cases where plaintiff served a PFS with core deficiencies, and failed to cure them after Defendants' final deficiency letter. Defendants placed the above cases on the agenda for

two sequential Court status conferences. Dismissal of these cases with prejudice is therefore appropriate under PTO 14, ¶ 8, and Defendants respectfully request the Court grant their motion regarding same.

Dated: June 5, 2019

Respectfully submitted,

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